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A Politician Practices What He Professes

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Chapel Hill -- There must be something different about former Georgia governors. I was never crazy about Jimmy Carter while he was president. But since he left office, he has led like none other. Whether by swinging his solo hammer or by standing for peace against the epithets of the world, Carter has become the first American. Some shine best as citizens.

Soon, the world will be treated to a brand new ex-Georgia governor. Democrat Roy Barnes was upset in November by Sonny Perdue. I had the misfortune of watching one of the Barnes-Perdue debates on C-SPAN. Sonny didn't know much. But he knew Barnes had tried to do something about the Confederate symbol on the Georgia flag. Trent Lott must have been moved.

So now Barnes, too, will "retire" into citizenship. The patterns, of course, are well established. Former governors, senators, majority leaders and the like can expect a cascade of lucrative offers. Law firms fight for their names and contacts. Lobbying outfits roll out a carpet of gold.

And Roy Barnes has an added benefit. He is apparently a skilled lawyer -- having built a hugely successful trial practice in Marietta before running for governor. The Georgia papers have speculated that Barnes could go to work for any number of silk-stocking Atlanta firms for a seven-figure salary.

So it is perhaps understandable that Steven Gottlieb, executive director of the Atlanta Legal Aid Society, initially thought it was a joke when he received a phone message from Governor Barnes saying he'd like to go to work as a legal services lawyer. "I've never heard of a former governor going to work for a legal aid program," said Gottlieb.

But it was no joke. Barnes has confirmed that he'll join the non-profit group for six months, donating his time and considerable skills to handling the legal cases of low-income Georgians. "Holding elective office," he explained, "is not the only way to help others."

Barnes won't lack for clients. Last year, Atlanta Legal Aid handled over 20,000 cases -- representing AIDS patients, domestic violence victims, desperate mothers seeking child support, elderly homeowners fleeced by lenders and the like. But due to the federal budget cuts of the past 25 years, the office was forced to turn away many thousands more.

Georgia is a lot like the rest of the country. Huge percentages of the population are priced

out of the legal system.

So Barnes' remarkable decision swims against the tide on two fronts. First, as one astonished consultant put it, "it's refreshing to see someone leave political office and not cash in." And, second, as a leader of the legal community, Barnes seems to have decided that an unfulfilled rhetorical pledge to legal equality isn't enough.

For generations, we have we have declared, as a cornerstone of constitutional government, that "there can be no equal justice where the kind of trial a person gets depends on the amount of money he has." But study after study shows that about 80 percent of the legal needs of the poor in the United States are unmet. The figure is almost as bleak for middle -income Americans.

Yet, unlike many industrial nations, we've recognized no general right to representation in civil cases. Less than 1 percent of our total expenditure for lawyers goes to service for the poor. Most lawyers do no pro bono work at all. Recent affluence has eroded rather than expanded support for such programs. Over the past decade, the average revenue of the country's most successful firms increased by over 50 percent, and their pro bono work dropped by a third. We carve "equal justice under law" on our courthouse walls. But that's about as far as the sentiment goes.

It is true, I'll concede, that Roy Barnes has only committed half a year to the Georgia legal services program, not the rest of his life. And he is already a wealthy man, so it's not exactly the same thing as a young lawyer going to work for exceedingly modest wages.

But one of the perplexing rituals of American politics is listening to candidate after candidate explain that he runs for office because he is driven to "represent the interests of ordinary Americans." We accept these claims even though we know the candidate has never spent a moment representing the powerless before the campaign began, and that it would never even occur to him to be bothered with such matters once the election is over.

Besides, even if it's just for six months, Barnes has made it clear he'll roll up his sleeves and be a real Legal Aid lawyer. He'll be trying cases, day after day. No staff. No prepared papers. No scripted presentations. No assistants toting his bags. Just a daunting caseload and beleaguered, frightened clients. Standing shoulder to shoulder with those who have no one else to speak for them. Carrying out the highest aspirations of both the legal profession and the American democracy.

I love Jimmy Carter. I'm starting to feel the same way about Roy Barnes.

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